

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KUO HSIUNG YANG,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:16CR140
	)	1:17CV959
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on February 23, 2021, was served on the parties in this action. (Docs. 51, 52.) Petitioner objected to the Recommendation, and the United States responded to Petitioner's objections. (Docs. 54, 56.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination. The court finds that the objections, which largely repeat the prior arguments set out in his § 2255 motion and which are said to be incorporated by reference, do not alter the substance and conclusions of the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (Doc. 35) is

DENIED. A judgment dismissing this action will be entered contemporaneously with this Order.

Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is DENIED.

/s/ Thomas D. Schroeder  
United States District Judge

March 31, 2021